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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/523,639
Filing Date: March 10, 2000
Appellant(s): CHAKRABARTI ET AL.

John L. Rogitz
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 01/11/2006 appealing from the Office action

mailed 09/29/2005.

(1)   Real Party in Interest

The Appellant's statement of the real party in interest contained in the brief is correct.

(2)   Related Appeals and Interferences

The Appellant's statement of the related appeals and interferences contained in the brief is correct.

(3)   Status of Claims

The Appellant's statement of the status of the claims contained in the brief is correct.

(4)   Status of Amendments

The Appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5)   Summary of The Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6)   Grounds of Rejection to be Reviewed on Appeal

The Appellant's statement on the grounds of rejection to be reviewed on appeal is correct.

(7)   Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8)   Evidence Relied Upon

The following is a listing of the evidence relied upon in the rejection of claims

under appeal:

Adar et al., US Patent Number 6,493,702, issued on December 10, 2002, but

filed on May 5, 1999 (hereinafter Adar).

Jammes et al., US Patent Number 6,484,149, issued on November 19, 2002, but

filed on October 10, 1997 (hereinafter Jammes).

Khan, US Patent Number 6,546,393, issued on April 8, 2003, but filed on

October 7, 1999.

(9)   Grounds of Rejection

Claims 1-4, 7, 9-10, 13, and 15 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Adar et al. (Adar), US Patent No. 6,493,702, and further in view of

Jammes et al. (Jammes), US Patent No. 6,484,149.

As to claims 1, 7, 13, and 15, Adar discloses a computer system, comprising:

at least one user computer (col. 10, lines 8-53 and Figs. 9-10: the user's system

910);

a data input device associated with the user computer (col. 10, lines 1-53: user's

input device 917);

a Web server communicating with the user computer (col. 5, line 38 – col. 6, line

19: user accesses bookmarks on the bookmark server database);

server logic means at the Web server for generating a table of inlinks to at least

on Web page associated with the Web server (col. 5, line 58 – col. 6, line 19, col. 7,

lines 1-19, and col. 10, lines 8-53: bookmark server in database 120 tracks availability

and newness for each bookmark in the background and creates a list of bookmarks 212

(table of inlinks), and each bookmark or a link is linked to a website), at least one inlink

including information related to a source page and information related to a target page

linked to from the source page (col. 6, lines 9-19 and col. 9, line 60 – col. 10, line 7 and

Fig. 2: in the bookmark 212 includes links such as a single bookmark 220 (source

page), and when the user clicks on the single bookmark 220, it will bring up the

document or a target page referenced by the bookmark 220),

user logic means at the user computer for accessing the table of inlinks (col. 10,

lines 8-53: the browser at the user's system received bookmark list from the bookmark

server);

However, Adar does not explicitly disclose generating a list of sibling links based

on the table, each sibling link being an outlink of one of the inlinks in the table, for

accessing the sibling links. Jammes discloses a list of links includes several hyperlinks

such as "automative", "computer", and "clothing", and when a user selects a hyperlink,

for example "automative" hyperlink, html text file according to "automative" link is interpreted by the Web browser to generate a Web page that contains three hyperlinks (sibling links or outlinks), and the user can also continue to access any one of these three hyperlinks (sibling links) (co. 45, line 17 – col. 47, line 67 and Figs. 17, 18 and 19). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Jammes and Adar to include generating a list of sibling links based on the table, each sibling link being an outlink of one of the inlinks in the table, for accessing the sibling links. Jammes suggests that organizing web pages presented to each customer is customized according to recorded shopping or searching habits of the particular consumer to make the on-line shopping/searching experience more convenient and expedient as well as more pleasant.

As to claims 2 and 9, Adar and Jammes (Adar-Jammes) disclose wherein the user logic means includes means for downloading the table from the Web server to the user computer (Adar, Fig. 10)

As to claims 3 and 10, Adar-Jammes disclose wherein the user logic means includes: means for downloading the table from the Web server to the user computer (Adar, Fig. 10 and col. 10, line 8 – col. 11, line 16); and

means for automatically accessing the inlinks to search the inlinks for predetermined information (Adar, col. 8, lines 25-40 and Figs. 4 and 10).

As to claim 4, Adar-Jammes disclose a data storage device for storing at least portions of the table (Adar, Fig. 10 and col. 10, line 8 – col. 11, line 16).

Claims 5-6 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adar et al. (Adar), US Patent No. 6,493,702, Jammes et al. (Jammes), US Patent No. 6,484,149, and further in view of Khan, US Patent No. 6,546,393.

As to claims 5 and 11, Adar-Jammes disclose the limitations as discussed in claims 1-4, 7, 9-10, 13, and 15 above. However, Adar-Jammes do not explicitly disclose means at the Web server for pruning inlinks in the table in response to at least one preselected criterium. Khan discloses bookmarks (table of inlinks) may be displayed on each page by a default of approximately 250 bookmarks, or a user can change the number of bookmarks that want displayed on each page by setting user options (col. 15, lines 13-22). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Khan and Adar-Jammes to include pruning inlinks in the table in response to at least one preselected criterium to allow users unlimited access bookmarks and to present them more efficiently.

As to claims 6 and 12, Adar-Jammes and Khan disclose wherein the preselected criterium is based at least in part on a number of selections of each inlink (Khan, col. 15,

lines 13-22: for allowing users unlimited bookmarks and to present them more efficiently).

(10)   Response to Argument

In the Remarks, Appellant argued in substance that

A) It is wrong that Adar's bookmarks contain information on both target and source pages (see page 5 of Brief).

In reply to argument A, Appellant described in the specification on page 8, line 19 – page 9, line 2 "when a user hyperlinks to a target page from a source page, the identity of the source page is recorded by the Web server of the target page. Accordingly, the Web server 32 proceeds to block 44 to record the inlink (i.e., the identity of the source page from which the user is being linked) in a list, preferably a table, for the Web page being linked to (the target page)." Thus, the inlink is considered as a bookmark which is the identity of the source page from which the user is being linked.

Adar discloses in col. 5, line 58 – col. 6, line 19, col. 7, lines 1-19, and col. 10, lines 8-53: bookmark server in database 120 tracks availability and newness for each bookmark in the background and creates a list of bookmarks 212 (table of inlinks), and each bookmark or a link is linked to a website. Adar discloses in col. 1, line 67 – col. 2, line 3 that bookmarks specifies an address that identifies the location of the desired document (identity of the source page), and when the user clicks on the single

bookmark 220 in Fig. 2, it will bring up the document or a target page referenced by the
bookmark 220.

B) "A list of bookmarks is not a bookmark." (see page 5 of Brief)

In reply to argument B, Adar discloses in col. 5, lines 58-67 that the bookmark
database 120 maintains a set of bookmarks for each user. Adar also discloses in col. 6,
lines 1-19 that a user's primary interaction with the bookmark database 120 takes place
through a main bookmark window 210 of Fig. 2, in which the illustrated bookmark
window includes a list of bookmarks, and thus the list of bookmarks is a bookmark.

C) "A list of bookmarks is not a source page." (see page 5 of Brief)

In reply to argument C, Appellant claimed in claim 1 "at least one inlink including
information related to a source page and information related to a target page linked to
from the source page". Examiner's explained in reply to argument A above that the
inlink is considered as a bookmark, which is the identity of the source page from which
the user is being linked. Adar discloses in Fig. 2 and col. 6, lines 9-19: when the user
110 accesses bookmarks within the list 212 by clicking on the text of a single bookmark
such as the WhiteHouse bookmark 220, which is the identity of the source page of the
WhiteHouse.

D) None of the relied-upon links in Jammes reference are generated based on a list of
other related links. (see page 6 of Brief)

In reply to argument D, Jammes discloses in col. 45, line 17 – col. 47, line 67 and Figs. 17, 18 and 19: a list of links includes several hyperlinks such as "automative", "computer", and "clothing", and when a user selects a hyperlink, for example "automative" hyperlink, html text file according to "automative" link is interpreted by the Web browser to generate a Web page that contains three hyperlinks (sibling links or outlinks) such as "sedans", "sports cars", and "sport utilities", and the user can also continue to access any one of these three hyperlinks (sibling links).

E) There is no reason to combine Jammes et al. with Adar et al. (see page 6 of Brief)

In reply to argument E, Appellant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

In this case, Adar discloses a search and recommendation system employs the preferences and profiles of individual users and groups within a community of users, as well as information derived from shared document bookmarks (Abstract). Jammes discloses organizing web pages (bookmarks or inlinks) presented to each customer is customized according to recorded shopping or searching habits of the particular consumer to make the on-line shopping/searching experience more convenient and

expedient as well as more pleasant. Thus, Adar reference and Jammes reference are analogous arts, and therefore one of ordinary skill in the art would combine Adar and Jammes reference to produce generating a list of sibling links based on the table, each sibling link being an outlink of one of the inlinks in the table, for accessing the sibling links as claimed invention.

F) The rejections using Khan likewise suffer from a deficient showing of a prior art suggestion to combine. (see page 8 of Brief)

In reply to argument F, Appellant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Khan disclose that a user may be set up with a personal web-based online bookmark account, no matter what browser, no matter which operating system, the user's favorite links are there via the user's online bookmark account for the user to use (Khan, col. 14, lines 31-39). In addition, Khan discloses in col. 15, lines 13-22 that bookmarks (table of inlinks) may be displayed on each page by a default of approximately 250 bookmarks, or a user can change the number of bookmarks that want displayed on each page by setting user options. Since Khan discloses user's online bookmark, which is similar to

bookmark system of Adar and Jammes as explained in reply to argument E above, thus, Adar, Jammes and Khan are analogous art. Khan suggests that by providing personal web-based online bookmark, it would enable a user to access and edit their bookmarks from anywhere in the world (Khan, col. 15, lines 25-32).

G) Changing the number of bookmarks that are shown on a display is not the same thing as "pruning" them, much less is it the same thing "pruning" something different, namely, what the claims recite. (see page 8 of Brief)

In reply to argument G, Appellant described in the specification in page 9, lines 17-18 that "the list or table of inlinks can be pruned in accordance with one or more predetermined criteria to conform to the relatively small size of the backlink (inlink) table." Khan discloses bookmarks (table of inlinks) may be displayed on each page by a default of approximately 250 bookmarks (table of inlinks), or a user can change the number of bookmarks that want displayed on each page by setting user options (predetermined criteria) (Khan, col. 15, lines 13-22).

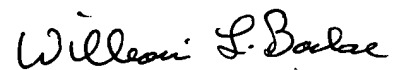## (11)   Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is respectfully submitted that the rejections should be sustained.
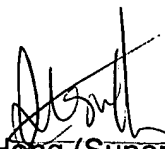
Respectfully Submitted,

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